

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 EURE-00 SS-15 SP-02 PRS-01 INR-07 ARA-06

NSC-05 CIAE-00 /049 W
----- 032130

P R 181840Z NOV 76
FM AMEMBASSY LONDON
TO SECSTATE WASHDC PRIORITY 7835
INFO AMEMBASSY BONN
AMEMBASSY BRUSSELS
AMEMBASSY COPENHAGEN
AMEMBASSY DUBLIN
AMEMBASSY THE HAGUE
AMEMBASSY LUXEMBOURG
AMEMBASSY PARIS
AMEMBASSY ROME
USMISSION EC BRUSSELS
USMISSION NATO BRUSSELS
USMISSION OECD PARIS
AMCONSUL BELFAST
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C O N F I D E N T I A L SECTION 01 OF 02 LONDON 18635

E.O. 11652: GDS
TAGS: PINT, PFOR. PINR, UK
SUBJECT: U.S. CITIZEN DEPORTATIONS CAUSE PROTEST

REF: LONDON 17863

SUMMARY. PUBLIC PROTESTS HAVE RESULTED FROM HMG'S
ACTIONS EARLIER THIS WEEK TO BEGIN THE DEPORTATION OF TWO
AMERICANS: FORMER CIA OFFICIAL PHILIP AGEE AND EVENING
STANDARD JOURNALIST MARK HOSENBALL. THE NATIONAL
UNION OF JOURNALISTS (NUJ) AND CIVIL LIBERTARIANS,
INCLUDING MP'S, HAVE JOINED IN CONDEMNING THE GOVERN-
MENT'S DECISIONS TO EMPLOY A RARELY-USED DEPORTATION
PROCEDURE IN THESE CASES. ONE LABOR MP HAS EVEN
THREATENED TO WITHHOLD HIS VOTE ON CRUCIAL MEASURES
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STILL PENDING IN PARLIAMENT UNLESS THE GOVERNMENT AGREES

TO TAKE THE CASES TO COURT. REASONS FOR THE GOVERNMENT'S DECISION TO ACT AT THIS TIME ARE NOT APPARENT, BUT IT APPEARS TO HAVE INCREASED POLITICAL DIFFICULTIES FACING CALLAGHAN, AS WELL AS RAISED A STORM OF PROTEST. END SUMMARY.

1. THE NUJ, THE NATIONAL COUNCIL OF CIVIL LIBERTIES, MP'S, PORTIONS OF THE PRESS AND AD HOC "DEFENSE COMMITTEES" HAVE VIGOROUSLY PROTESTED THE HOME OFFICE'S DECISION THAT FORMER CIA OFFICIAL AND AUTHOR PHILIP AGEE AND EVENING STANDARD REPORTER MARK HOSENBALL ARE TO BE DEPORTED ON SECURITY GROUNDS. THE DECISION IN AGEE'S CASE WAS ANNOUNCED NOVEMBER 17 WHEN IT WAS CHARGED THAT HE HAD "MAINTAINED REGULAR CONTACTS HARMFUL TO THE SECURITY OF THE UK WITH FOREIGN INTELLIGENCE OFFICERS" AND "CONTINUES TO BE INVOLVED IN DISSEMINATING INFORMATION HARMFUL TO THE SECURITY OF THE UK." THE HOME OFFICE REFUSED TO ELABORATE FURTHER. THE HOSENBALL DECISION, BASED ON UNSPECIFIED SECURITY GROUNDS, WAS ANNOUNCED A DAY EARLIER.

2. MUCH OF THE ENSUING CLAMOR HAS CENTERED ON THE PROCEDURE USED FOR DEPORTATION. IT DOES NOT REQUIRE THE HOME SECRETARY TO JUSTIFY HIS DECISION AND DENIES THE SUBJECTS ANY RIGHT OF APPEAL OR LEGAL REPRESENTATION. THE PRESS ALSO CLAIMS THAT THIS PROCEDURE HAS BEEN INVOKED ON ONLY ONE PREVIOUS OCCASION, AND THEN UNSUCCESSFULLY. THE NUJ PROTEST CENTERED ON HOSENBALL AND CHARACTERIZED THE DECISION AS "A SHODDY DEAL BETWEEN THE U.S. AND BRITISH AUTHORITIES". THE CIVIL LIBERTIES COUNCIL CALLED FOR BOTH DEPORTATION ORDERS TO BE RESCINDED. MP'S, PARTICULARLY BUT NOT EXCLUSIVELY FROM THE LABOR PARTY, QUICKLY JOINED THE PROTEST, WITH CIVIL LIBERTARIAN ARTHUR LEWIS THREATENING TO WITHHOLD HIS VOTE ON CRITICAL BILLS UNLESS THE GOVERNMENT ALLOWS BOTH CASES TO BE HEARD IN COURT. MOST OF THE PRESS HAS GIVEN THESE STORIES EXTENSIVE COVERAGE. PLAYING UP AGEE'S DENIALS OF WRONG-DOING AND ALLEGATIONS OF U.S. PRESSURE ON HMG (SEE BELOW). THE GUARDIAN FOLLOWED ITS LIBERAL INSTINCTS BY DEFENDING THE LAW UNDER WHICH THE CONFIDENTIAL

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DEPORTATIONS WERE INITIATED, BUT DEPLORING ITS APPLICATION TO AGEE AND HOSENBALL. CONTINUING. IT URGED THE ADVISORY REVIEW PANEL WHICH WILL REVIEW THE CASES TO "SEEK FROM THE HOME OFFICE THE REASONS FOR THE ORDERS, AND IF PRESENT SUSPICIONS (THAT THE PROCEDURE IS WHOLLY UNJUSTIFIED) ARE CONFIRMED, EXERCISE EXCEPTIONAL SKEPTICISM".

3. AGEE AND, TO A LESSER EXTENT, HOSENBALL HAVE SOUGHT TO KEEP THE PROTEST CALDRON BUBBLING BY THEIR DENIALS. AGEE BLAMED THE U.S. BY SUGGESTING THAT NEW CIA CHIEF IN LONDON 'COULD HAVE BROUGHT PRESSURE ON THE BRITISH GOVERNMENT BY ALLOWING THEM LESS ACCESS TO INFORMATION -- BRITAIN RECEIVES A LOT OF INFORMATION FROM THE CIA", AND PBTLSO SUGGESTED SOME LINK BETWEEN THE DECISION AND BRITAIN'S PENDING IMF APPLICATION. IN ADDITION, AGEE

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CIAE-00 EURE-00 /049 W

----- 032188

P R 181840Z NOV 76

FM AMEMBASSY LONDON

TO SECSTATE WASHDC PRIORITY 7836

INFO AMEMBASSY BONN

AMEMBASSY BRUSSELS

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DENIED PUBLISHING INFORMATION ABOUT BRITAIN'S INTELLI-

GENCE OPERATIONS OR MEETING WITH FOREIGN INTELLIGENCE AGENTS. HOSENBALL TOO HAS DENIED ANY ANTI-UK ACTIVITIES, THOUGH EARLIER THIS YEAR HE WROTE ABOUT HMG'S INTELLIGENCE HEADQUARTERS AT CHELTENHAM (AS HAVE THE GUARDIAN AND OTHER NEWSPAPERS). THE HOME OFFICE, OF COURSE, HAS REJECTED IMPUTATIONS THAT THE USG OR THE CIA IN ANY WAY INFLUENCED ITS DECISIONS IN THESE CASES.

4. COMMENT. WHILE THE UK NO DOUBT HAS A GOOD CASE AGAINST AGEE AND. PRESUMABLY, HOSENBALL, ITS REASONS FOR ACTING AGAINST THEM AT THIS TIME AND FOR CHOOSING THIS PARTICULAR PROCEDURE TO DEPORT THEM ARE NOT READILY CONFIDENTIAL

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APPARENT. THE TIMING. FROM THE POLITICAL STANDPOINT, WAS PARTICULARLY BAD, AS THE SITUATION FOR THE REST OF THIS PARLIAMENT WILL PERMIT CIVIL LIBERTARIAN MP'S TO HOLD THE GOVERNMENT HOSTAGE. IF THEY DESIRE. HAD THE GOVERNMENT WAITED UNTIL THE OPENING OF THE NEXT PARLIAMENT ON NOVEMBER 24, THE LEVERAGE OF INDIVIDUAL MP'S WOULD HAVE BEEN GREATLY REDUCED. MOREOVER, IF PRESS REPORTS ARE CORRECT, HOSENBALL'S WORK PERMIT WOULD HAVE EXPIRED WITHIN A FEW MONTHS, AND HE COULD HAVE BEEN FORCED TO LEAVE SIMPLY BY REFUSING ITS RENEWAL. FINALLY, THE CHOICE OF DEPORTATION PROCEDURES SEEMS POLITICALLY ILL-ADVISED, AS IT COULD HARDLY HAVE BEEN BETTER DESIGNED TO UNITE DIVERSE LIBERAL AND CIVIL LIBERTARIAN GROUPS AGAINST THE GOVERNMENT.

5. IT IS NOT YET CLEAR WHETHER THESE DEVELOPMENTS WILL AFFECT THE GOVERNMENT'S SHIPBUILDING AND AIRCRAFT INDUSTRY NATIONALIZATION BILL WHEN IT COMES BEFORE COMMONS LATE THIS EVENING (NOVEMBER 18), BUT THERE IS NO DOUBT THAT THE RISK OF A GOVERNMENT DEFEAT HAS BEEN INCREASED. THE KEY AMENDMENT EXCLUDING SHIP REPAIR FACILITIES WAS LAST DEFEATED BY ONLY THE SPEAKER'S CASTING VOTE, AND THE ABSTENTION OF LEWIS OR ANY OTHER BACKBENCH MP COULD RESULT IN A DEFEAT ON THIS ISSUE. OVER THE LONGER TERM, THESE CASES COULD DAMAGE THE GOVERNMENT. REGARDLESS OF THE TRUTH OF THE MATTER AND DENIALS BY BOTH HMG AND THE USG (REFTEL) THE POPULAR PERCEPTOR IS THAT THE TWO GOVERNMENTS COLLUDED TO EXPEL THE SUBJECTS. ACCORDINGLY, THE GOVERNMENT IS PERCEIVED AS AMENABLE TO SUCH PRESSURES AND, IF IT SHOULD LOSE THE CASES AT THE REVIEW LEVEL OR DECIDE TO SEND THEM TO COURT, IT WILL APPEAR MALADROIT. THESE DEVELOPMENTS COULD ALSO PROVIDE A NEW IRRITANT TO THE LABOR PARTY'S INTERNAL WOUNDS. HOME SECRETARY REES' HARD-EARNED (IN NORTHERN IRELAND) REPUTATION AS A FORTH-RIGHT DEFENDER OF DUE PROCESS AND CIVIL LIBERTY HAS

ALSO BEEN UNDERMINED.

6. AS YET THERE HAS BEEN VERY LITTLE COMMENT SUPPORTIVE
OF THE GOVERNMENT'S ACTION, BUT SECRETARY REES WILL BE
ANSWERING QUESTIONS IN COMMONS TODAY. SUBSEQUENT PRESS
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AND PUBLIC COMMENTARY MAY COUNTERACT SOME OF THE INITIAL
NEGATIVE REACTION.

ARMSTRONG

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: PUBLIC DEMONSTRATIONS, EXPULSION, JOURNALISTS
Control Number: n/a
Copy: SINGLE
Draft Date: 18 NOV 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: ShawDG
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976LONDON18635
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D760430-1079
From: LONDON
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19761135/aaaabdux.tel
Line Count: 240
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION EUR
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 5
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 76 LONDON 17863
Review Action: RELEASED, APPROVED
Review Authority: ShawDG
Review Comment: n/a
Review Content Flags:
Review Date: 11 FEB 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <11 FEB 2004 by GarlanWA>; APPROVED <12 AUG 2004 by ShawDG>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: U.S. CITIZEN DEPORTATIONS CAUSE PROTEST
TAGS: PINT, PFOR, PINR, UK, (AGEE, PHILIP), (MOSENBALL, MARK)
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006